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The following constitutes  
the order of the court. Signed April 20, 2012

*Stephen L. Johnson*

Stephen L. Johnson  
U.S. Bankruptcy Judge

Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re:	)	Chapter 11
	)	
	)	Cases Jointly Administered
	)	
<b>COMMUNITY TOWERS I, LLC,</b>	)	Case No. 11-58944-SLJ-11
A Delaware Limited Liability Company,	)	
Employer Tax I.D. No. 75-2456729,	)	Case No. 11-58945-SLJ-11
	)	
<b>COMMUNITY TOWERS II, LLC,</b>	)	Case No. 11-58948-SLJ-11
A Delaware Limited Liability Company,	)	
Employer Tax I.D. No. 75-2560662,	)	Case No. 11-58949-SLJ-11
	)	
<b>COMMUNITY TOWERS III, LLC,</b>	)	<b><u>Disclosure Statement Hearing</u></b>
A Delaware Limited Liability Company,	)	Date: March 1, 2012
Employer Tax I.D. No. 32-0065635,	)	Time: 1:30 p.m.
	)	
<b>COMMUNITY TOWERS IV, LLC,</b>	)	<b><u>Hearing on Plan Confirmation</u></b>
A Delaware Limited Liability Company,	)	Date: July 17 - 18, 2012
Employer Tax I.D. No. 77-0379075,	)	Time: 9:00 a.m.
	)	Place: United States Bankruptcy Court
Debtor(s).	)	280 S. First St., Room 3099
	)	San Jose, CA 95113
111 W. Saint John Street, Suite 705	)	Judge: Honorable Stephen L. Johnson
San Jose, California 95113	)	

**FIRST AMENDED ORDER APPROVING DISCLOSURE STATEMENT FOR DEBTORS'  
JOINT PLAN OF REORGANIZATION (DATED MARCH 27, 2012) AND FIXING TIME FOR  
FILING ACCEPTANCES OR REJECTIONS OF PLAN AND OBJECTIONS TO CONFIRMATION  
OF PLAN, COMBINED WITH NOTICE THEREOF**

1 Community Towers I, LLC, Community Towers II, LLC, Community Towers III, LLC, and  
2 Community Towers IV, LLC, the debtors and debtors in possession in these cases (the “Debtors”),  
3 having filed their DEBTORS’ JOINT PLAN OF REORGANIZATION (DATED DECEMBER 23, 2011) and  
4 DISCLOSURE STATEMENT FOR DEBTORS’ JOINT PLAN OF REORGANIZATION (DATED DECEMBER 23,  
5 2011) on December 23, 2011; the hearing for the Court to consider approval of the disclosure  
6 statement having been held on March 1, 2012 at 1:30 p.m. (the “Disclosure Statement Hearing”); the  
7 Court finding that all creditors, interest holders and other parties in interest received good and  
8 sufficient notice of the time fixed for filing objections to the disclosure statement and of the  
9 Disclosure Statement Hearing; an objection to the disclosure statement having been filed by CIBC,  
10 Inc. (“CIBC”); the Debtors having appeared at the Disclosure Statement Hearing by and through  
11 their counsel Murray & Murray, A Professional Corporation and John Walshe Murray; CIBC having  
12 appeared by and through its counsel Morrison & Foerster LLP and Adam Lewis; the Office of the  
13 United States Trustee having appeared by and through its counsel Emily Keller; the Court having  
14 directed the Debtors to make certain revisions to the disclosure statement which the Debtors have  
15 made and which are embodied in the DEBTORS’ JOINT PLAN OF REORGANIZATION (DATED MARCH  
16 27, 2012) (the “Plan”) and the DISCLOSURE STATEMENT FOR DEBTORS’ JOINT PLAN OF  
17 REORGANIZATION (DATED MARCH 27, 2012) (the “Disclosure Statement”) filed with the Court on  
18 March 27, 2012; the Court finding after hearing on notice that the Disclosure Statement contains  
19 adequate information; the Court being fully advised in the premises; and good cause therefore;

20 IT IS HEREBY ORDERED and notice is hereby given, as follows:

- 21 1. The Disclosure Statement is approved.
- 22 2. On or before **April 4, 2012**, the Debtors shall serve on all creditors, interest holders  
23 and other parties in interest in these cases the following:

- 24 (a) The Plan;
- 25 (b) The Disclosure Statement;
- 26 (c) A ballot (“Ballot”) in substantially the form attached as **Exhibit “A”** to this  
27 Order, the form of which is hereby approved; and

- 28 (d) The ORDER APPROVING DISCLOSURE STATEMENT FOR DEBTORS’ JOINT PLAN

1 OF REORGANIZATION (DATED MARCH 27, 2012) AND FIXING TIME FOR FILING ACCEPTANCES OR  
2 REJECTIONS OF PLAN AND OBJECTIONS TO CONFIRMATION OF PLAN, COMBINED WITH NOTICE  
3 THEREOF (the “Initial Disclosure Statement Order”) entered by the Court on April 2, 2012.

4 3. **May 21, 2012** is fixed as the last date for submitting written acceptances or rejections  
5 of the Plan. Ballots may be delivered by email, facsimile transmission, overnight mail, regular mail  
6 or hand delivery provided they are actually received by Debtors’ counsel at the street address, email  
7 address or facsimile number set forth below on or before **May 21, 2012**:

8 **Murray & Murray**  
9 **A Professional Corporation**  
10 **Attn: Rachel Ragni Larrenaga**  
11 **19400 Stevens Creek Boulevard, Suite 200**  
12 **Cupertino, California 95014-2548**  
13 **Facsimile: (650) 852-9244**  
14 **Email: rragni@murraylaw.com**

15 Murray & Murray, A Professional Corporation shall receive and tabulate the Ballots for the  
16 Plan and prepare a ballot tabulation analysis which shall be filed with the Court no later than **May**  
17 **25, 2012**.

18 4. **May 21, 2012** is fixed as the last date for filing and serving, pursuant to Rule  
19 3020(b)(1), written objections to confirmation of the Plan. Written objections may be delivered by  
20 email, facsimile transmission, overnight mail, regular mail or hand delivery provided they are  
21 actually received by the following persons at the street addresses, email addresses or facsimile  
22 numbers set forth below on or before **May 21, 2012**:

23 **John Walshe Murray**  
24 **MURRAY & MURRAY**  
25 **A Professional Corporation**  
26 **19400 Stevens Creek Boulevard, Suite 200**  
27 **Cupertino, CA 95014-2548**  
28 **Telephone: (650) 852-9000**  
**Facsimile: (650) 852-9244**  
**Email: jwmurray@murraylaw.com**

**Office of the United States Trustee**  
**Attn.: Emily Keller**  
**280 S. First Street #268**  
**San Jose, CA 95113**  
**Telephone: (408) 535-5525**  
**Facsimile: (408) 535-5532**  
**Email: emily.keller@usdoj.gov**

5. Within fifteen (15) days of the entry of this Order, the Debtors shall serve on all  
creditors, interest holders and other parties in interest in these cases the following:

(a) This Order; and

1 (b) A notice that the hearing on confirmation of the Plan will be conducted before  
2 this Court on July 17 and 18, 2012.

3 Following the Disclosure Statement Hearing, this Court held a telephonic status conference  
4 on April 10, 2012 to discuss deadlines and the scheduling of the hearing on confirmation of the Plan.  
5 The Debtors appeared by and through their counsel Murray & Murray, a Professional Corporation,  
6 and John Walshe Murray and Robert A. Franklin. CIBC appeared by and through its counsel  
7 Morrison & Foerster LLP and Adam Lewis. The Court having heard the arguments and  
8 representations of counsel, the Court being fully advised in the premises and good cause appearing  
9 therefore;

10 IT IS HEREBY FURTHER ORDERED:

11 1. **June 4, 2012** is fixed as the last date by which the parties must identify their expert  
12 and percipient witnesses, and exchange reports prepared by experts.

13 2. **June 18, 2012** is fixed as the last date by which the parties must complete all  
14 discovery, including written discovery and depositions of percipient and expert witnesses.

15 3. **July 2, 2012** is fixed as the last day by which the parties must file their opening briefs  
16 in support of and in opposition to confirmation of the Plan. In its opening brief, CIBC may add any  
17 objections that were not in its original objections that were developed through discovery.

18 4. All direct testimony in support of and in opposition to confirmation of the Plan shall  
19 be provided by sworn declaration. All declarants shall be available for cross-examination at the  
20 hearing on confirmation of the Plan or their declarations will not be considered.

21 5. **July 9, 2012** is fixed as the last day by which the parties must (a) file their reply  
22 briefs, if any, in support of and in opposition to confirmation of the Plan, (b) file and exchange  
23 declarations of witnesses intended to be used as direct testimony, and (c) lodge and exchange all  
24 exhibits.

25 6. **July 17 and July 18, 2012** are fixed as the hearing dates for testimony and argument  
26 in support of and in opposition to confirmation of the Plan.

27 7. Any party may move the Court to modify any of the dates and deadlines herein for  
28 cause including, without limitation, witness unavailability, discovery delays or disputes, or if

1 additional objections to confirmation of the Plan are raised by CIBC after May 21, 2010.

2 8. The Initial Disclosure Statement Order is hereby vacated. This Order supersedes and  
3 replaces the Initial Disclosure Statement Order.

4  
5 APPROVED AS TO FORM AND CONTENT.

6 Morrison & Foerster LLP

7  
8 By: /s/ Adam Lewis  
9 Adam Lewis  
Attorneys for CIBC, Inc.

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11 **\*\*END OF ORDER\*\***  
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**COURT'S SERVICE LIST**

**None.**

1 JOHN WALSHE MURRAY (074823)  
ROBERT A. FRANKLIN (091653)  
2 RACHEL RAGNI LARRENAGA (241061)  
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7 Attorneys for Debtors

8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN JOSE DIVISION**

In re:	)	Chapter 11
	)	
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<b>COMMUNITY TOWERS I, LLC,</b>	)	
A Delaware Limited Liability Company,	)	Case No. 11-58944-SLJ-11
Employer Tax I.D. No. 75-2456729,	)	
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<b>COMMUNITY TOWERS II, LLC,</b>	)	
A Delaware Limited Liability Company,	)	Case No. 11-58945-SLJ-11
Employer Tax I.D. No. 75-2560662,	)	
	)	
<b>COMMUNITY TOWERS III, LLC,</b>	)	
A Delaware Limited Liability Company,	)	Case No. 11-58948-SLJ-11
Employer Tax I.D. No. 32-0065635,	)	
	)	
<b>COMMUNITY TOWERS IV, LLC,</b>	)	
A Delaware Limited Liability Company,	)	Case No. 11-58949-SLJ-11
Employer Tax I.D. No. 77-0379075,	)	
	)	
Debtor(s).	)	<b><u>Disclosure Statement Hearing</u></b>
	)	Date: March 1, 2012
	)	Time: 1:30 p.m.
111 W. Saint John Street, Suite 705	)	
San Jose, California 95113	)	<b><u>Hearing on Plan Confirmation</u></b>
	)	Date: July 17 - 18, 2012
	)	Time: 9:00 a.m.
	)	Place: United States Bankruptcy Court
	)	280 S. First St., Room 3099
	)	San Jose, CA 95113
	)	Judge: Honorable Stephen L. Johnson

27 **EXHIBIT "A" TO FIRST AMENDED**  
28 **ORDER APPROVING DISCLOSURE STATEMENT FOR DEBTORS' JOINT PLAN OF REORGANIZATION**  
**(DATED MARCH 27, 2012) AND FIXING TIME FOR FILING ACCEPTANCES OR REJECTIONS OF**  
**PLAN AND OBJECTIONS TO CONFIRMATION OF PLAN, COMBINED WITH NOTICE THEREOF**

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A Delaware Limited Liability Company,	)	
21 Employer Tax I.D. No. 77-0379075,	)	
	)	
	)	<b><u>Hearing on Plan Confirmation</u></b>
22 Debtor(s).	)	
	)	Date: May 31, 2012
23 111 W. Saint John Street, Suite 705	)	Time: 1:30 p.m.
San Jose, California 95113	)	Place: United States Bankruptcy Court
	)	280 S. First St., Room 3099
	)	San Jose, CA 95113
25	)	Judge: Honorable Stephen L. Johnson
26	)	

27 **BALLOT FOR ACCEPTING OR REJECTING DEBTORS' JOINT PLAN**  
28 **OF REORGANIZATION (DATED MARCH 27, 2012)**



1 On March 27, 2012, Community Towers I, LLC, Community Towers II, LLC, Community  
2 Towers III, LLC, and Community Towers IV, LLC, the debtors and debtors in possession in these  
3 cases (the "Debtors"), filed their DEBTORS' JOINT PLAN OF REORGANIZATION (Dated March 27,  
4 2012) (the "Plan") and their DISCLOSURE STATEMENT FOR DEBTORS' JOINT PLAN OF  
5 REORGANIZATION (Dated March 27, 2012) (the "Disclosure Statement").

6 You should review the Plan and the Disclosure Statement before you vote. You may wish to  
7 seek legal advice concerning the Plan and your classification and treatment under the Plan.  
8 Creditors'<sup>1</sup> claims have been placed in the classes set forth in the Plan. Those classes under the Plan  
9 entitled to vote are set forth below. If you hold claims in more than one class, you may submit a  
10 Ballot for each class in which you are entitled to vote.

11 If your Ballot is not received at the address listed below on or before **May 21, 2012** it will  
12 not be considered. Ballots which are returned but not properly executed will not be considered.  
13 Ballots which are executed but which fail to indicate either acceptance or rejection of the Plan will  
14 be considered as accepting the Plan. If the Plan is confirmed by the Bankruptcy Court, it will be  
15 binding on you whether or not you vote to accept or reject the Plan. Ballots should be returned to the  
16 following address:

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**Murray & Murray**  
**A Professional Corporation**  
**Attn: Rachel Ragni Larrenaga**  
**19400 Stevens Creek Boulevard, Suite 200**  
**Cupertino, CA 95014-2548**  
**Telephone: (650) 852-9000**  
**Facsimile: (650) 852-9244**  
**Email: rragni@murraylaw.com**

(THIS BALLOT CONTINUES ON THE FOLLOWING PAGE)

<sup>1</sup> Capitalized terms not defined herein are given the same meaning ascribed in the Plan.

**Acceptance or Rejection of the Plan**

1. The undersigned member of the following class (check the appropriate blank):

\_\_\_\_\_ Class 2 (Allowed CIBC Claim)

\_\_\_\_\_ Class 5 (Lease Deposit Claims)

\_\_\_\_\_ Class 6 (Allowed General Unsecured Claims)

\_\_\_\_\_ Class 7 (General Unsecured Claims of John and Rosalie Feece)

2. Amount of claim: \$\_\_\_\_\_.

3. Hereby (check the appropriate blank):

\_\_\_\_\_ Accepts \_\_\_\_\_ Rejects

the DEBTORS' JOINT PLAN OF REORGANIZATION (DATED MARCH 27, 2012).

By signing this Ballot, the undersigned hereby certifies that (i) it is the owner of the Claim to which this Ballot pertains, or the authorized signatory of such owner and has full power and authority to vote to accept or reject the Plan, and (ii) it has been provided with a copy of the Plan, and the notice of the confirmation hearing and objection dates.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Type or Print Name of Individual or Entity Casting Ballot

\_\_\_\_\_  
Signature (Required for vote to be considered)

\_\_\_\_\_  
Type or Print Name of Individual Signing Ballot

\_\_\_\_\_  
Title (if appropriate)

Address: \_\_\_\_\_

\_\_\_\_\_  
Number and Street

\_\_\_\_\_  
City, State & Zip Code

If you have any questions regarding the Ballot or the voting procedures, or if you believe you have not received all of the materials relating to the Plan that you are supposed to have received, you may contact counsel for the Debtors at: Rachel Ragni Larrenaga, Murray & Murray, A Professional Corporation, 19400 Stevens Creek Boulevard, Suite 200, Cupertino, CA 95014; tel: (408) 907-9200; fax: (650) 852-9244, email: rragni@murraylaw.com.